

# **ACTION REPORT**

## **The First 100 Days**

**Attorney General**

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## **A Difficult Transition**

As the world and state have become more threatening, the work of the Attorney General's Office has become more complex and even more important. We must continue to protect Arizonans against violent crime, consumer fraud, and white-collar crime, while facing a more dangerous world where criminals wield such unlikely weapons as airplanes and computers.

In the midst of increased demands, budget shortfalls in the state and nation have dangerously eroded the resources of the Attorney General's Office. The result is fewer people at the AG's Office to protect Arizonans. Just when the Arizona public needs MORE protection and the state can LEAST afford to pay adverse judgments, the Attorney General's Office has been cut deeply. All of this comes at a time when **Arizona has the #1 crime rate in the nation!**

Mandated budget cuts have caused the layoff of nearly 60 employees this year and the loss of over 120 positions. This has not only hurt the AG's capacity to serve our State, but also forced the termination of many dedicated employees who had given years of service. Our remaining staff has been given additional work on top of already overburdened caseloads.

Despite uncertainties, the AG employees have worked with unflagging dedication. They are committed and smart. Under difficult conditions, they have managed to do much with little. They work late, come in early and take work home with them. Because of their hard work, in the first 100 days of the Goddard Administration, the AG's Office has succeeded in winning fines and judgments of more than \$70 million. This report is a tribute to their work on behalf of all of Arizona.

Of the ten goals outlined by the Goddard Administration for the first 100 days, all were impacted by staffing and budget cuts. Nonetheless, most have been accomplished.

## **Major Accomplishments**

- Obtained 51 Grand Jury indictments against people involved with Innovative Waste Utilization (IWU) and the corporate entity. IWU's Arizona facility was supposed to store and dispose of chemicals, but instead used them in methamphetamine production
- Successfully litigated against CP Direct, winning one of the largest settlements, state or federal, in Arizona history - **\$45 million in ACTUAL money and property** for consumer fraud victims who were sold bogus nutritional supplements
- Obtained warrants for the arrest of a Colorado City man, on charges of sex with a minor. He remains a fugitive
- Investigated and assisted in the arrest of a child porn predator
- Successfully prosecuted meth manufacturers
- Worked with the Treasurer's Office's on a claim in bankruptcy court for \$131 million lost in a major corporate failure
- Used mass media to inform Arizonans about Internet safety as it relates to fraud and child pornography
- Coordinated with the U.S. Attorney's Office on Operation Desert Risk to help secure Arizona's border with Mexico and prevent deaths from exposure
- Filed suit against El Paso Natural Gas for conspiring to control capacity and illegally inflate natural gas prices for Arizonans
- Settled a suit with Bristol-Myers Squibb over BuSpar, resulting in an anticipated recovery for Arizona of \$1.5 million
- Settled a suit with Aventis Pharmaceuticals over Cardizem CD, resulting in over \$618,000 for Arizona consumers
- Met with tribal communities and the Inter-Tribal Council on Native American issues
- Settled with Pfizer on their promotion of Zithromax. Arizona's share is \$127,273
- Successfully lobbied with other states' Attorneys General to ensure Phillip Morris' payment of tobacco settlement money, including \$38 million to Arizona
- Opened 4,220 consumer complaints
- Volunteer conciliator resolved 13 "hopeless" consumer complaints
- Worked with the National Association of Attorneys General to fight federal encroachment on state rights in several areas
- Successfully lobbied for the Spam Bill and No-call legislation
- Upheld the conviction of an abortion doctor whose reckless actions resulted in the death of a woman
- Upheld the conviction of a man who killed a police officer during a robbery

- Extradited two suspects from Mexico and convicted one of the murder of two police officers; the other awaits trial
- Successfully prosecuted a child molester, securing a 134 year prison term
- Successfully defended State boards, saving the State thousands of dollars in judgments
- Monitored 129 property tax complaints
- Successfully concluded the Upjohn Company suit, collecting additional corporate income taxes for the State
- Collected taxes owed from Cox Communications
- Opened a new volunteer Elder Affairs Program office in Green Valley
- Began inquiry into high gas prices, meeting with state agencies and other Attorneys General. Continued work to develop a regional plan with California and Nevada on high gas prices. Meeting soon with gas companies from across the nation as part of the National Association of Attorneys General (NAAG) initiative
- Supported legislation to protect Arizonans from predatory lending practices
- Promoted a program to stop Under Age Smoking
- Persuaded the United States Supreme Court not to review the Arizona Supreme Court's decision upholding the constitutionality of the Clean Elections Act
- Persuaded the United States Supreme Court to review a case concerning the ability of law enforcement officers to search a vehicle after the occupant of the vehicle is arrested
- Took the lead in a multi-state brief filed in the United States Supreme Court opposing preemption of certain state court actions.
- Worked with victims to ensure their voice is heard in court
- Supported legislation to curb violence against neighborhood activists

## **Quick Facts - The First 100 Days**

- Opened 83 new criminal cases
- Handled 120 capital litigation appeals
- Filed 149 criminal appeals briefs
- 146 defendants sentenced
- Obtained orders for 16,000 hours of community service
- Fielded more than 11,500 consumer telephone calls and 4,000 letters
- Mediated 304 civil rights cases, resulting in 278 agreements (91.4% agreement rate)
- Trained 125 caseworkers from other agencies as mediators
- Served seniors across the state with 16 conferences and Life Care presentations
- Filed 618 dependent petitions filed by Protective Services Section to protect vulnerable children
- Placed over 700 children in permanent homes, moving them out of our child welfare system
- Made 5,891 court appearances, obtaining 1,602 child support judgments totaling over \$11 million for children and parents

Restitution and judgments ordered back to Arizona through the efforts of the Attorney General's Office during the first 100 days of this Administration include:

\$ 130,000	criminal fines
\$ 7,342,978	criminal restitution
\$ 240,000	civil rights fines collected
\$ 11,375,637	child support judgments
\$ 45,000,000	CP Direct settlement
\$ 559,430	special investigations forfeitures
\$ 1,500,000	Bristol-Myers Squibb settlement
\$ 618,000	Aventis Pharmaceutical settlement
\$ 127,273	Pfizer settlement
\$ 459,106	consumer complaint recovery
\$ 254,064	civil judgments
\$ 107,580	garnishment in civil
\$ 1,324,385	tax section recoveries
\$ 968,613	Upjohn settlement
\$ 355,109	CoxCom settlement
\$ 26,041	First USA Bank settlement
\$ 4,421	settlement in "hopeless" consumer complaints

**This was mostly money returned to victims, along with some fines and recoveries.**

## **The Faces Beyond the Facts**

Lists of numbers and dollars only tell a small part of what we have done during the first 100 days. Beyond each of them is a personal story - a 14-year old girl saved from a sexual predator she met on the Internet, a senior who received a refund after paying money he couldn't afford for inflated prescriptions, a mother who has justice in the wake of the murder of her loved one.

The thousands of court appearances, phone calls, and meetings are part of the work of our dedicated Attorney General staff. But what these statistics don't tell is the human story of the number of hands held, hugs given, hope dispensed - the number of sympathetic ears, after-hours work and compassionate advocacy that touches the lives of those injured.

The Attorney General's Office took a massive cut to its budget and lost more employees than any other state agency, but intact is the giant heart of those who work so hard to serve Arizona.